

CITY COUNCIL WORKSHOP AND REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LEON VALLEY, TEXAS, OCTOBER 2, 2007 AT 5:30 P.M.

The City Council of the City of Leon Valley, Texas, met for a Regular City Council Meeting on the 2nd day of October 2007 at 5:30 p.m., at the Leon Valley City Council Chambers, at 6400 El Verde Road, Leon Valley, Texas, for the purpose of the following business, to-wit:

CITY COUNCIL WORKSHOP 5:30 P.M.

Call to Order.

Mayor Riley called the workshop meeting to order at 5:30 p.m. and asked that the minutes reflect that the following members of Council were present: Manea, Baldridge, and Nelson.

Mayor Riley announced that Councilman Reyna was unavoidably out of town on business and his absence was excused. She also announced the excused absence of Councilmember Dean and stated that he was in a meeting with the Governor and would be arriving late.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, Police Chief Wallace, City Accountant Wallace, Community Development Director Smith, Public Works Director Vick, Assistant Public Works Director Stolz, and HR Officer/Assistant City Secretary Caldera were also present.

Presentation and discussion on MS4 Stormwater Management Program (Bob Tome).

Mayor Riley introduced Bob Tome from the City's Storm Water Advisory Committee who presented information to Council on the Storm Water Management Program (SWMP) for Leon Valley. Bob Tome introduced members of the Storm Water Advisory Committee who were present for the Council meeting: Carmen Valdez, Marcus Semmelmann, Steve Rapkin, Rene Baeten, Walter Geraghty, and staff liaison Fred Stolz.

Mr. Tome provided background information on the Clean Water Act and permits from the Environmental Protection Agency and from the State of Texas for storm water runoff. He reported that the City of Leon Valley is required to file for permit and he recommended that the City seek a permit under the Texas General Permit TXR040000. He further explained that the Texas General Permit would authorize the discharge of storm water to surface waters in the State but requires a Notice of Intent (NOI) to the Texas commission on Environmental Quality within 180 days and he stated that the storm water program must begin by February 11, 2008 or risk financial penalties. He explained the six Best Management Practices which would be a part of that Storm Water Management Program (SWMP). Mr. Tome stated that the City will need to either revise current storm water management ordinances or develop a new ordinance to collect fees, submit a NOI as soon as possible, and hold public hearings after the permit is submitted to the Texas Commission on Environmental Quality. He also outlined samples of the six Best Management Practices (BMP) to address: public education and outreach on storm water impacts, public involvement/ participation, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management in new development and redevelopment, and pollution prevention/good housekeeping for municipal operations.

Mr. Tome estimated that the program cost will be \$329,000 per year and the funding will come fees to be assessed for commercial, residential, multi-family, and public activity properties. Mr. Tome recommended the City obtain a new property tax roll, develop a fee structure and

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collection billing process, submit the NOI for review and acceptance, hire a Storm Water Manager or Consultant, and amend the old storm water ordinance. He also recommended that the Storm Water Management Program be approved.

Council discussion how oversight for the program would be handled, the role of the Advisory Committee in the Storm Water Management Program, administrative requirements of the program, options for collecting Storm Water Management fees, and the time frame for initiating the program.

Resident Hubert Lange addressed Council expressing his concerns regarding lack of enforcement of current rules that would support storm water management practices and the addition of new rules without adequate staffing to enforce the rules.

Resident Rick Rangel addressed Council asking who is responsible for the clean up of polluted storm water runoff from the City of San Antonio that runs into Leon Valley. Mr. Tome explained that the Storm Water Management Program is directed at preventing pollution from getting into the storm water runoff not cleanup.

Mayor Riley thanked Mr. Tome and the Storm Water Advisory Committee members for their work. Mayor Riley stated that she would place the program on the next agenda for Council consideration.

Adjourn.

Hearing no further business, Mayor Riley announced the workshop was adjourned at 6:40 p.m. and announced that the Regular City Council Meeting would commence at 7:00 p.m.

REGULAR CITY COUNCIL MEETING - 7:00 P.M.

Call to order and Pledge of Allegiance.

Mayor Riley called the meeting to order at 7:03 p.m. and asked that the minutes reflect that the following members of Council were present: Manea, Baldrige, and Nelson.

City Manager Lambert, City Secretary Feutz, Fire Chief Irwin, Police Chief Wallace, City Accountant Wallace, Community Development Director Smith, Public Works Director Vick, Public Works Assistant Director Stolz, and HR Officer/Assistant City Secretary Caldera, and City Attorney McKamie were also present.

Mayor Riley asked resident Marguerite Desbrow to lead the Pledge of Allegiance.

Mayor Riley announced that two councilmembers had excused absences: Councilman Reyna and Councilmember Dean. She announced that Councilmember Dean would be joining the meeting later as he had a meeting with the Governor.

Introduction of new City Attorney William McKamie.

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Mayor Riley introduced William "Mick" McKamie as the new City Attorney. She welcomed him and informed the Council and audience of the experience and education that Mr. McKamie and his firm bring to the City. The Mayor also welcomed attorney Frank Onion, also a member of the law firm, and she reviewed his law experience and education for the audience. She announced that the McKamie Law firm will have representation at both Council meetings each month.

Proclamation declaring the week of October 7-13, 2007 as "Fire Prevention Week" (Chief Irwin).

Mayor Riley proclaimed the week of October 7 - 13, 2007 as Fire Prevention Week with the safety message of "It's Fire Prevention Week - Practice Your Escape Plan!" Chief Irwin thanked the Mayor and announced that the Fire Department would be busy with Fire Safety activities at the schools and he urged everyone to make sure their fire and smoke detectors were working properly and to practice fire evacuation plans for their homes and businesses.

Proclamation declaring the month of October 2007 as "Crime Prevention Month" (Chief Wallace).

Mayor Riley proclaimed the month of October 2007 as Crime Prevention Month and urged all citizens and businesses to invest in the power of prevention and work together to make Leon Valley a safer, stronger, more caring community. The proclamation was accepted by Police Chief Randall Wallace. Chief Wallace reminded everyone about the crime prevention inspection program for Leon Valley homes available through Lt. Reyes' office which can help homeowners qualify for insurance discounts.

Councilmember Dean joined the Council at the dais.

Presentations to Green Bin Instant Winners.

Mayor Riley awarded checks for two more winners in the Green Bin Instant Win program: the Whaley family and the Maldonado family. She reminded the audience that Waste Management was continuing to fund the incentive program to reward and encourage Leon Valley residents to recycle. She introduced Frederick Medrano, from Waste Management, Inc., and thanked him and Waste Management for supporting and providing the incentives for the program.

Citizens to be heard and time for objections to the Consent Agenda.

Mayor Riley asked Councilmembers if they wished for anything on the Consent Agenda to be removed from that agenda for further discussion; hearing no one, she then asked if anyone in the audience wished to address the Council.

Resident Phillip Meuer expressed his concerns about supporting a tax for street maintenance that he stated would redirect budgeted money earmarked for street maintenance toward economic development. He stated his opposition to City tax funds being diverted to economic development efforts.

Resident Marguerite Desbrow asked Council for permission to place yellow ribbons on City properties at City Hall, the Library, the Community and Conference Center and at the Park, at no cost to the City, in preparation for Veterans' Day. Mayor Riley asked Ms. Desbrow to speak

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with the City Manager on the issue as she had done previously.

Resident Al Baldrige addressed Council expressing his support for the yellow ribbon campaign and thanked the City for their support of the yellow ribbons on City properties.

Resident Rudy Garcia addressed Council stating that money from the street maintenance tax, proposed for the Special Election in November, is strictly for repair and maintenance of existing streets and will expire in four years, unless voters vote to continue the tax at the end of the four years.

Seeing no one else, Mayor Riley asked for a motion on the Consent Agenda.

Consent Agenda

Consider approval of minutes of the Special City Council Meeting of September 11, 2007 and the minutes of the Regular City Council Meeting of September 18, 2007 (Feutz).

Consider Resolution changing Regular City Council Meeting Date from first Tuesday of November 2007 to Monday, November 5, 2007.

A motion was made by Councilmember Dean, seconded by Councilmember Manea, to approve the Consent Agenda items as listed. Upon vote, Mayor Riley announced the motion carried.

REGULAR AGENDA

Public hearing to consider Specific Use Permit Case # 07-258, with attached ordinance - a request by Bury+Partners, agent for Sonic restaurant, applicant and property owner, to construct and operate a "Restaurant and Drive-Thru with an Unenclosed Patio", at 5630 Wurzbach Road (Smith).

Community Development Director Smith addressed Council stating that Specific Use Permit (SUP) Case # 07-258 was a request from Bury+Partners, agent for Sonic Drive-Thrus restaurant to allow construction and operation of a "Restaurant with an Unenclosed Patio" at 5630 Wurzbach Road. She described the surrounding zoning and land use and the platting and zoning history of the site which was formerly a Taco Cabana restaurant. She stated that the SUP met the minimum requirements for site plan development including parking, lighting, trash receptacles, landscaping and signage. She stated that eight letters were mailed to surrounding property owners and no letters were received in favor of, nor in opposition to the case, and no letters were returned as undeliverable. Zoning Commission Chair Guerra reported to Council that the Zoning Commission met on September 25, 2007 and voted 6 to 0 to recommend approval of the SUP request.

Mark Johnson, representing the agent Bury+Partners, answered questions from Council stating that the new building will be approximately thirty feet back from Wurzbach Road and will bring new landscaping to the property when the new facility is completed.

Mayor Riley opened the public hearing at 7:35 p.m. and invited anyone from the audience to

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address Council on the Specific Use Permit Case.

Resident Walter Geraghty, who is also a member of the Business Alliance Committee, addressed Council and the project agent stating that the Committee is happy that Sonic is coming to Leon Valley.

Hearing no one else, Mayor Riley announced that the public hearing was closed at 7:37 p.m.

Following discussion, a motion was made by Councilmember Dean, seconded by Councilmember Manea, to approve Specific Use Permit Case # 07-258 as presented. Upon vote, Mayor Riley announced that the motion carried and welcomed Sonic to the City.

Public hearing to consider Specific Use Permit Case # 07-259, with attached ordinance - a request by Venkat Thupakula d.b.a. Kids Galore, to construct and operate a "Child Care Facility", in a B-2 (Retail) zoning district, adjacent to an R-1 (Single-Family) zoning district at 7724 Eckhert Road. APPLICANT IS REQUESTING A POSTPONEMENT TO NOVEMBER 5, 2007 (Smith).

Mayor Riley read the agenda item which announced the request for a postponement to November 5, 2007 for the public hearing on Specific Use Permit Case # 07-259. Mayor Riley announced that Council will hear the public hearing for this case on November 5, 2007.

Discussion Agenda

Presentation and discussion on Trail Grant (A. Uvietta).

Resident and Park Commission member Al Uvietta addressed Council stating that this was the second grant application that was being submitted for park trails. He informed Council that the total project cost was \$74,373.71 with grant funding requested for \$59,498.97 and a local match of \$14,874.74. He explained that the local match consisted of \$4,420 from in-kind labor and \$10,454 from the General Fund. Mr. Uvietta explained that the project will add 3,150 feet of trail additions to extend Raymond Rimkus Park trail system along Huebner Creek to Forest Oaks Subdivision and will provide connectivity with the Library, the Community Center, the Huebner-Onion Natural Area Primitive Trail, and with the Sun Valley and Seneca Subdivisions. He described proposed features of the project to include: extended trails, split rail fencing, a wooden bridge across a portion of the drainage creek at the rear of the Public Works facility, six concrete benches, and signage and trail head bollards. He stated that the trail additions will be hike, bike, and physically challenged accessible.

Mayor Riley thanked Mary Hoyt, Beverly Freeman, Al Uvietta, and members of the Park Commission and staff for their work on the project.

Discussion on AIA Request for Proposals for inclusion in the Sustainable Design Assessment Team 2008 Program (Lambert).

Mayor Riley introduced Tim Baisdon, a local architect, who, she stated, had emailed the information to her as an idea that the City may wish to consider.

City Manager Lambert addressed Council presenting information about a vision/planning grant

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available from the American Institute of Architects (AIA) for assistance to communities in assessing community sustainability. Mr. Lambert proposed submitting an application for the grant before the deadline of November 16, 2007 for specific projects such as air and water quality, flooding and drought issues, pedestrian/bicycle options, traffic congestion, revitalization, and a sense of community/place. He also explained that the project could cost between \$20,000 - \$30,000 and the City or local sponsors are required to provide half of the funding for the project which could be up to \$15,000. Mr. Lambert stated that for a successful proposal, the City must be able to demonstrate the ability to raise the necessary funds for implementation of the Sustainable Design Assessment (SDA) and gain support from the local community for the program. He recommended that the City's share of the funding may be charged to the amount budgeted for the vision plan, but the City will still need to obtain support from local economic development players. Mr. Lambert asked for Council's input whether to proceed with the grant application.

Architect Tim Baisdon expressed his support for the projects identified by the City Manager and recommended strengthening the connectivity of the City and stated that the location of the City of Leon Valley is in the middle or center of the greater San Antonio growth and is located close to a large economic center at the medical center. Mr. Baisdon stated that the SDA Team will bring in multi disciplinary expertise and will encourage community participation through a charette. He defined "sustainability" stating that it envisions the enduring prosperity of all living things and that "sustainable design" creates communities and buildings that advance enduring public well being.

Mr. Lambert asked Mr. Baisdon if the local AIA Chapter would provide a letter of support for the City's application, and Mr. Baisdon stated that the local Chapter's Chair recommended that the City submit the application.

Councilmember Manea expressed his support for the program but expressed his concern about obtaining the commitment for the necessary financial support from the local community before the deadline of November 16, 2007. Mr. Baisdon recommended that the City use a personal approach to gain support from large and small local and area entities.

All Councilmembers expressed their support with moving forward with the application process this year and discussed contacting larger companies such as VIA in regards to the City's transportation sustainability vision and portraying the City reputation for promoting a "green" community.

Mayor Riley invited anyone from the audience for comments; hearing no one, she thanked Mr. Baisdon for his assistance.

Discussion on El Verde 2020 (Lambert).

City Manager Lambert addressed Council describing "perfect vision" being 2020 in Leon Valley and El Verde being "the green". Mr. Lambert presented seven goals of the program: become a carbon neutral city organization by 2020; preserve and expand Leon Valley's tree canopy by 2020; green home and business construction by 2020 with 20% of structures completely green; reduce water consumption, use alternative irrigation sources and increased Xeriscaping by 2020; reach 90% waste recycling by 2020; increase by 20% the use of mass transit by 2020; increase the use of level emission cars (hybrid/electric); and increase public awareness of the

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need for more energy efficient lifestyle with education and training. He stated that there would be three components addressed in the proposed program: municipal organization, residential in Leon Valley, and commercial/business in Leon Valley. Mr. Lambert presented short and long term goals for the municipal organization and an overview of both the residential and commercial/business programs for the City to reach El Verde by 2020 and asked Council for further direction.

Councilmember Baldrige expressed her support for encouragement of the goals presented by the El Verde 2020 Program. Council expressed their concerns as to how the program will impact the City's budget to meet the goals for the "municipal organization". Mr. Lambert stated that purchases would be evaluated for cost effectiveness with a 20-year pay off for the City.

Mayor Riley stated that she had asked the CPS Energy representative if the City of Leon Valley could be a pilot program for solar energy with solar panels at City facilities and solar street lights in front of the Huebner-Onion House. Mr. Lambert stated that he plans, within the next six months, to implement a landscape irrigation system, with a 50% matching grant from the Edwards Aquifer Authority.

Mayor Riley asked for any comments from the audience on the El Verde 2020 program. Mr. Baisdon recommended Council require the LEEDS certification program for City facilities, but Council may consider not requiring LEEDS certification for the residential and business program.

City Manager's report.

Mr. Lambert announced plans by TXDOT for closing Evers and Bandera Roads under Loop 410 beginning Friday evening until Monday morning at 5:30 p.m for construction over the weekend. He stated that TXDOT hoped to finish on Sunday and the City has notified the media, has provided information on the marquees and in flyers, and extra police officers have been notified that they may be called in. Mr. Lambert stated that TXDOT would allow emergency vehicles under the bridge and had placed additional signage along Evers and Bandera Roads to alert drivers to the road closures.

Citizens to be heard.

Resident Rick Rangel addressed Council expressing his opposition to any buy-outs for flood control from the El Verde/Jeff Loop neighborhood, as has been proposed by Bexar County as part of the flood control program. He recommended that the County reconsider deepening the creek, rather than widening the creek and stated he would like to see a 25-year and a 50-year flood plan.

Announcements.

All members of Council gave a warm welcome to the new City Attorney team.

Councilmember Baldrige echoed reminded everyone about the Huebner-Onion Homestead fund raiser, the "Bloomin' Onion" to be held on October 26, 2007 by the Historical Society of Leon Valley.

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Councilmember Nelson announced a “Buddy Walk for Down Syndrome Association of San Antonio” to be held on Saturday, October 6, 2007 in San Antonio and asked anyone interested to contact her.

Mayor Riley reported that last week’s final Metropolitan Planning Organization meeting, held in Leon Valley, had the highest turnout. She reported on the Edwards Aquifer Authority’s grant for the water cistern program for landscape irrigation. She informed the Council and audience that she had met with VIA representatives and had recommended that they consider a second leg of the Bus Rapid Transit (BRT) program for Bandera Road. She announced the second meeting of the Bandera Road Site Community Advisory Group to be held at the Conference Center on October 23, 2007 at 5:30 p.m. She also announced that she would be visiting Eugene, Oregon to look at their Bus Rapid Transit system in the next week.

Adjourn.

Hearing no other business or comments, a motion was made by Councilmember Dean, seconded by Councilmember Baldrige, to adjourn the meeting. Upon vote, Mayor Riley announced the meeting was adjourned at 8:58 p.m. Mayor Riley reminded everyone of the next meeting to be held at 7:00 p.m. on October 16, 2007.

ATTEST:

Chris Riley

Mayor

Marie Feutz

City Secretary

Minutes approved by majority vote of the Leon Valley City Council at the October 16, 2007 Regular City Council Meeting.